

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL NO. 1:03CV199**

**DEBORAH JEAN INGLE,** )  
**Administrator of the Estate of** )  
**Christopher James Burt Ingle,** )  
 )  
**Plaintiff,** )

**Vs.** )

**ORDER**

**MIKE YELTON, in his official and** )  
**individual capacities; CHRIS** )  
**YOUNG, in his official and** )  
**individual capacities; JOE** )  
**JOHNSON, in his official and** )  
**individual capacities; and THE** )  
**CITY OF ASHEVILLE,** )  
 )  
**Defendants.** )

**THIS MATTER** is before the Court on remand from the United States Fourth Circuit Court of Appeals.

The parties may engage in a 30-day period of discovery, from entry of this Order through and including May 8, 2006, concerning the existence and contents of videotapes of the incident involved in this case. In the

event that the Defendants claim no such videotapes exist, they shall file affidavits sworn to under penalty of perjury in support of that contention.

At the end of the 30-day period of discovery, the parties shall each file with the Court a statement of whether additional discovery is necessary and/or whether a further motion for summary judgment on the issue of qualified immunity may be brought in good faith.

**IT IS SO ORDERED.**

Signed: April 7, 2006

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

